

CHAPTER 67-21-07 FOOD DISTRIBUTION ON INDIAN RESERVATIONS

Section

67-21-07-01	Purpose
67-21-07-02	State Agency
67-21-07-03	Use of Federal Rules and Policies
67-21-07-04	Commodity Control, Storage, and Distribution
67-21-07-05	Administrative Payments

67-21-07-01. Purpose. The food distribution program on Indian reservations, initiated at the federal level and in partnership with the states, authorizes the receipt and distribution of commodity foods by state agencies to tribal organizations.

History: Effective February 1, 2000.

General Authority: NDCC 15-54-03, 28-32-02

Law Implemented: NDCC 15-54

67-21-07-02. State agency. The department of public instruction has been designated by the United States department of agriculture as the state agency in the state of North Dakota to assist in the implementation, maintenance, and funding of the program for tribal organizations that wish to participate in this program.

History: Effective February 1, 2000.

General Authority: NDCC 15-54-03, 28-32-02

Law Implemented: NDCC 15-54-03; 7 CFR 253.3

67-21-07-03. Use of federal rules and policies. Unless otherwise specified in this chapter, eligibility to participate in the program is governed by federal rules. The tribal organization shall conform to lawfully issued rules and policies relating to the food distribution program.

History: Effective February 1, 2000.

General Authority: NDCC 15-54-03, 28-32-02

Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 253

67-21-07-04. Commodity control, storage, and distribution. Tribal organizations are eligible to receive commodities that are made available under the program. The commodities must be allocated to tribal organizations on the basis of the food issuance rates established in the federal rules. Delivery must be arranged upon the receipt of a valid order from the tribal organization. Shipments of commodities to tribal organizations must be made under the terms of the existing state transportation contract and in accordance with a schedule jointly determined by the department and the tribal organization. Tribal organizations shall maintain control of and accountability for commodities, conduct inventories as necessary, provide and maintain adequate and appropriate storage facilities, and distribute the commodities to individuals on the basis of established eligibility.

The department will take action to obtain restitution in connection with claims arising for improper distribution, use, loss, or damage of commodities.

History: Effective February 1, 2000.

General Authority: NDCC 15-54-03, 28-32-02

Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 253.8

67-21-07-05. Administrative payments. The department shall reimburse tribal organizations for costs that are allowable under 7 CFR 253.9, in accordance with the approved tribal organization budget.

History: Effective February 1, 2000.

General Authority: NDCC 15-54-03, 28-32-02

Law Implemented: NDCC 15-54-03, 15-54-05; 7 CFR 253.9